

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE D.APPA RAO

WRIT APPEAL NO.417 of 2006

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20th April 2006

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 22.06.2005 in W.P.NO.13274 OF 2005 on the file of the High Court.)

Between:

1. Ramchander Mali, No.831570305, S/o.Late Bolu Ram Mali,45 years,
Masalchi, Base Hospital-II, Central Reserve Police Force, Group
Centre, Chandrayanagutta, Hyderabad.

And five others.

...APPELLANTS

AND

1. Union of India, rep.by its Secretary, Ministry of Health & Family Welfare,
Nirman Bhavan, New Delhi.

And six others.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE D.APPA RAO

WRIT APPEAL NO.417 OF 2006

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JUDGMENT: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides.

At their request, the Writ Appeal itself is taken up for disposal at the admission stage.

The appellants/writ petitioners filed this appeal, *inter alia*, assailing the last portion of the direction given while disposing of the Writ Petition being W.P.No.13274 of 2005 wherein the learned Single Judge gave a finding that the appellants are entitled to the relief as prayed for only from the date of filing of the Writ Petition. It is submitted across the bar that in the similar circumstances, the direction shall be to consider the case and pass appropriate orders but not from the date of filing the Writ Petition as

mentioned.

Having considered the submissions made on either side, we are in entire agreement with the learned counsel for the appellants that while issuing direction to consider the case, the question of imposing any such conditions does not arise since the same will be well within the parameters of the authorities concerned.

Accordingly, the Writ Appeal is partly allowed to the extent of modifying the direction given in Writ Petition No.13274 of 2005 to the effect that the respondents are directed to consider the case and pass appropriate orders in accordance with law. The entire exercise shall be completed within a period of two months from the date of receipt of a copy of this order. No costs.

(B.PRAKASH RAO, J)

(D.APPA RAO, J)

20th April 2006

RRB